

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Michael Burnett,

Plaintiff,

Case No. 19-cv-13513

v.

Judith E. Levy

United States District Judge

Amie Jenkins, *et al.*,

Mag. Judge Patricia T. Morris

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [40]**

Before the Court is Magistrate Judge Patricia T. Morris' Report and Recommendation (ECF No. 40) recommending the Court deny as moot Plaintiff Michael Burnett's motion for leave to file an amended complaint. (ECF No. 37.) The parties were required to file specific written objections, if any, within fourteen days of service. *See* Fed. R. Civ. P. 72(b)(2); E.D. Mich. LR 72.1(d). No objections were filed. The Court has nevertheless carefully reviewed the Report and Recommendation and concurs in the reasoning and result. Accordingly,

The Report and Recommendation (ECF No. 40) is ADOPTED; and

Plaintiff's motion for leave to file an amended complaint (ECF No. 37) is DENIED AS MOOT.<sup>1</sup>

IT IS SO ORDERED.

Dated: November 10, 2021  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 10, 2021.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager

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<sup>1</sup> By failing to object to the Report and Recommendation, the parties have forfeited any further right of appeal. (See ECF No. 40, PageID.525.) See *United States v. Wandahsega*, 924 F.3d 868, 878 (6th Cir. 2019); *Berkshire v. Beauvais*, 928 F.3d 520, 530 (6th Cir. 2019); *Jones v. Vilsack*, 861 F. App'x 58, 63 (6th Cir. 2021).